

**Remarks**

Claims 1-3 and 6-14 are pending in this application. Claims 4 and 5 have been canceled. Claims 1-3 and 6-8 have been amended. Claims 9-14 have been added.

By way of this preliminary amendment, claims 1-3 and 6-8 have been amended. These claim amendments are being made solely for purposes of placing the claims in a format appropriate for U.S. prosecution. Applicants submit that the amendments do not change the scope of the claims as originally filed. Such amendments are therefore made to address formalities in the claim format and are not related to the patentability of the subject matter of the claims. No new matter was added by way of these claim amendments.


The subject matter of new claims 9-13 has been disclosed in the application as filed, page 4, line 3 *et seq.* The subject matter of new claim 1 has been disclosed in the application as filed, claim 1. No new matter has been added by way of these claim additions.

Patent Office personnel are informed that because a strike-through associated with certain numbers, a hyphen, or punctuation marks such as a comma, semicolon, colon, or period is difficult to see, in making amendments to certain of the claims, some language is deleted and re-inserted in order to clarify the amendments with respect to affected numbers or marks. Any such deletion/re-insertion does not affect the meaning or scope of the claim in which it occurs. Similarly, because a strike-through of a single letter or a few letters of a word is difficult to see, when a word is to be modified, the entire word is deleted and the modified form of the word is re-introduced.

In view of the above amendments and arguments, this application is deemed to be in condition for allowance, and allowance is accordingly requested.

Respectfully submitted,

Reg. No.: 48,972  
Phone: (203) 812-6450  
Date: February 10, 2004

  
Susan M. Pellegrino  
Bayer Pharmaceuticals Corporation  
400 Morgan Lane  
West Haven, CT 06516-4175